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February 17, 2022

U.S DISTRICT COURT
DISTRICT OF VERMONT
Case No. 2:20-CV-00165

RICHARD GRAJEDA,)	ZOOM
Plaintiff,)	DEPOSITION OF
versus)	MARK PETROZZI
VAIL RESORTS, INC., VAIL)	
RESORTS MANAGEMENT COMPANY,)	
AND OKEMO LTD., LIABILITY)	
COMPANY d/b/a OKEMO MOUNTAIN)	
RESORT,)	
Defendants.)	

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Zoom Deposition of MARK PETROZZI, a

Witness herein, called by the Plaintiff for

Cross-Examination pursuant to the Federal Rules of

Federal Procedure, taken before me, the undersigned,

Deanna Gleckler, a Registered Professional Reporter,

Certified Realtime Reporter and Notary Public in and for

the State of Ohio, at Gilford, New Hampshire, on

Thursday, February 17, 2022, at 2:08 p.m.

- - - - -

(1)

MARK PETROZZI

(2)

asking for speculation now. Go ahead.

(3)

A. Yeah, there's no evidence of that.

(4)

Q. Well, there's no evidence either way, right; you

(5)

don't know?

(6)

A. No, there is evidence.

(7)

MR. AICHER: Object to the form.

(8)

A. No, there is evidence to the contrary.

(9)

Q. I'm going to show you Exhibit 55. Do you recognize

(10)

this photo?

(11)

A. I believe that's a photo that I took from up the B

(12)

quad.

(13)

Q. That's right.

(14)

A. During my site inspection.

(15)

Q. And who's that standing down there by the

(16)

snowmaking station?

(17)

A. That's Mr. Lancaster.

(18)

Q. And is it your testimony, sir, that the snowmaking

(19)

station, as we're looking at it here in this

(20)

photograph that you took, is trail side?

(21)

A. I'm not sure I ever said it was trail side. I said

(22)

it was off the groomed surface.

(23)

Q. All right. So you would agree that the snowmaking

(24)

station involved in Ric's accident wasn't trail

(25)

side, right?

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(1) MARK PETROZZI

(2) MR. AICHER: Objection to the form.

(3) A. It's not trail side.

(4) THE WITNESS: Pardon me.

(5) A. It's not trail side. However, it's located on the
(6) skier's left side of what's designated as the Lower
(7) Mountain Road, and they groom that and then they
(8) groom around this and on the skier's left side of
(9) that is considered open slope.

(10) Q. You would agree that this snowmaking station as
(11) depicted in the photo you took is right smack in
(12) the center of skiable terrain in the open slope
(13) base area, right?

(14) MR. AICHER: Object to the form. Go ahead.

(15) A. You can ski around both sides of that.

(16) Q. Okay. And you can't tell where one trail begins
(17) and one trail ends between Lower Mountain Road and
(18) open slope trail in this photograph, can you?

(19) A. Other than knowing how they designate it, not if
(20) you're just skiing there you probably wouldn't.

(21) Q. Well, looking at this photograph, can you tell me
(22) where the dividing line is between Lower Mountain
(23) Road and open slope trail?

(24) A. Yeah, absolutely. You can see actually some
(25) concentrated tracks from skiers right side of the